

PRIVILEGES OF THE FLOOR

Mr. BENNETT. Mr. President, I ask unanimous consent that the following staff have the privilege of the floor during the consideration of H.R. 2673, the Agriculture appropriations bill: Patricia Raymond, Fitzhugh Elder, Hunter Moorhead, Dianne Preece, Galen Fountain, Jessica Arden, William Simpson, Meghan McCarthy, Larissa Sommer, and Mike Neilson.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. AKAKA. Mr. President, I ask unanimous consent that Ms. Barbara Peicheo, a fellow in my office, be allowed floor privileges for the duration of the debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BINGAMAN. Mr. President, I ask unanimous consent that Daniela Ligiero, who is a fellow in my office, be granted the privilege of the floor during the pendency of consideration of this bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORIZING LEGAL REPRESENTATION

Mr. BENNETT. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 259 which was introduced earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 259) to authorize legal representation in *Bell Aviation, Inc., et al. v. Sino Swearingen Aircraft Co., L.P., et al.*

There being no objection, the Senate proceeded to consider the resolution.

Mr. FRIST. Mr. President, this resolution concerns representation by the Senate legal counsel of Senator ROCKEFELLER and an employee in his office, who have been subpoenaed to provide testimony and office records at depositions in a civil business dispute in Dallas County, TX.

The subpoenas are seeking information about communications between the defendant business jet aircraft company, which has a manufacturing plant in Martinsburg, WV and the Senator's office, as well as Senator ROCKEFELLER's activities in connection with his service as Chairman, and now ranking minority Member, of the Subcommittee on Aviation of the Senate Committee on Commerce, Science, and Transportation.

This resolution would authorize the Senate legal counsel to represent Senator ROCKEFELLER and his staff in connection with these subpoenas in order to protect the privileges of the Senate.

Mr. BENNETT. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table en bloc, and any statements thereon be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 259) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 259

Whereas, in the case of *Bell Aviation, Inc., et al. v. Sino Swearingen Aircraft Co., L.P., et al.*, Cause No. 03-02532, pending in the District Court of Dallas County, Texas, the plaintiffs have obtained from the Superior Court of the District of Columbia subpoenas for deposition testimony and document production by Senator John D. Rockefeller IV and Terri Giles, a staff member in the office of Senator Rockefeller;

Whereas, pursuant to sections 703(a) and 704(a)(2) of the Ethics in Government Act of 1978, 2 U.S.C. §§ 288b(a) and 288c(a)(2), the Senate may direct its counsel to represent Members and employees of the Senate with respect to any subpoena, order, or request for testimony relating to their official responsibilities;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate may, by the judicial or administrative process, be taken from such control or possession but by permission of the Senate; and

Whereas, by Rule VI of the Standing Rules of the Senate, no Senator shall absent himself from the service of the Senate without leave: Now, therefore, be it

Resolved, That the Senate Legal Counsel is authorized to represent Senator Rockefeller and Terri Giles in connection with the subpoenas issued in this action.

AUTHORIZING DESIGN AND CONSTRUCTION OF VISITOR CENTER FOR THE VIETNAM VETERANS MEMORIAL

Mr. BENNETT. I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 310, H.R. 1442.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 1442) to authorize the design and construction of the visitor center for the Vietnam Veterans Memorial.

There being no objection, the Senate proceeded to consider the bill.

Mr. BENNETT. I ask unanimous consent that the Thomas amendment, which is at the desk, be agreed to; that the bill, as amended, be read the third time and passed; the motion to reconsider be laid upon the table; and any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 2113) was agreed to.

(The amendment is printed in today's RECORD under "Text of Amendments.")

The bill (H.R. 1442), as amended, was read the third time and passed.

HOMELAND SECURITY FEDERAL WORKFORCE ACT

Mr. BENNETT. I ask unanimous consent that the Senate proceed to the im-

mediate consideration of Calendar No. 240, S. 589.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 589) to strengthen and improve the management of national security, encourage Government service in areas of critical national security, and to assist Government agencies in addressing deficiencies in personnel possessing specialized skills important to national security and incorporating the goals and strategies for recruitment and retention for such skilled personnel into the strategic and performance management systems of Federal agencies.

There being no objection, the Senate proceeded to consider the bill.

Mr. LEAHY. Mr. President, I support passage of the Homeland Security Federal Workforce Act, S. 589, and urge favorable Senate action and swift House adoption, as well. Senators AKAKA and DURBIN deserve great credit for developing this legislation last Congress with Senator THOMPSON and pursuing it to passage this year.

I share their concern that we need to do more to recruit and retain outstanding personnel in our pursuit of national security. I believe that includes our law enforcement personnel. For the last two Congresses I have sponsored the Federal Prosecutors' Retirement Benefit Equity Act, which is now S. 640. That bill, which is cosponsored by Senators HATCH, MIKULSKI and DURBIN, would correct an inequity that exists under current law whereby Federal prosecutors receive substantially less favorable retirement benefits than nearly all others involved in the federal criminal justice system. We have proposed that Assistant United States Attorneys be included as law enforcement officers under the Federal Employees' Retirement System and Civil Service Retirement System. I urge the Republican chairs of the Government Affairs Committee and the Subcommittee on Oversight of Government Management, the Federal workforce, and the District of Columbia to make enactment of that measure a priority rather than allow it to continue to languish without action year after year.

Similarly, I am a cosponsor of the Law Enforcement Officers Retirement Equity Act, S. 819, which was introduced by Senator MIKULSKI and is cosponsored by Senators SARBANES and CAMPBELL. This measure would include Customs agents, Treasury agents, and Homeland Security agents whose duties include the investigation or apprehension of suspected or convicted individuals and who are authorized to carry a firearm within the definition of "law enforcement officer" for purposes of retirement benefits equity. This measure, likewise, is one that has been introduced and reintroduced but that has not received attention from the Government Affairs Committee or Subcommittee. In the interest of fairness and in recognition of the sacrifices that our officers make every day on our behalf, I urge attention to this measure.